Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. No.4724/2004

PETITIONER:

N. K. Dwivedi
Aged about 59 years
S/oLate Shri Devidutt Dwivedi
Working as Deputy Forest
Ranger, Special Duty
R/o Forest Colony,
Bhanupratappur
District North Bastar
(Kanker) Chhattisgarh

P.R. No. 4722/04
Presented by Shri Rahul Jha
dated 02-12-04

VERSUS

RESPONDENTS:

1. State of Chhattisgarh
Through the Secretary,
Department of Forests,
DKS Bhavan, Mantralaya,
Raipur(C.G.)

Receipt of Copy
6/12/04
Clerk to A. G. Bilaspur

2. The Chief Conservator of
Forests
Government of Chhattisgarh
Raipur (C.G.)

3. Divisional Forest Officer,
Durg(Chhattisgarh)

4. Chhattisgarh Nirvachan Aayog
Through the State Election
Oficer, Raipur, (C.G.)

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:-

(62)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 4724/04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

18/01/2005

Shri Anand Kumar Tiwari, counsel for the petitioner.

Shri Akhil Agrawal, P.L. for the State.

Heard on I.A. No. 9405/2004 for urgent hearing. It is allowed.

The petitioner who is working as Dy. Forest Ranger at Bhanupratappur under the respondent No.2 has been transferred vide order of Annexure P-1 to Forest Circle, Dharamjaigarh on the same post.

Learned counsel for the petitioner submits that the petitioner is to retire on 31/03/2006 and as such only 14 months of service remains before his retirement and he could not have been transferred as per **General Book Circular** instructions contained in Para 1 at Serial No.6, entry No.13.

Learned counsel for the petitioner submits that the ends of justice would be served if the petitioner is allowed to make detailed representation before the respondents against the impugned order which shall be decided by the respondents within a specified period.

I have heard learned counsel for the petitioner.

I have gone through the instructions contained in the **General Book Circular** which provides that

> ***"Normally a Government Officer or employee shall not be got transferred in the last two years of his service and if only two years or less than two years of service is left or the retirement is within two years and even if the transfer is necessary in that case, he should be transferred preferably to his home district or nearby as per the choice of such employee."***

Gr. PRJ—FS/350—12/2000—50,000.

CA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4724/04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Thus, considering the prayer of the petitioner, the petitioner is allowed to make a detailed representation before the respondents within15 days alleging grievances against the impugned transfer order vide Annexure P-1. The representation of the transfer order shall be considered and decided by the respondents within two months from the date of receipt of the representation. It is further directed that if the petitioner is not be already relieved, the order of transfer vide annexure P-1 shall not be given effect to and the petitioner is at ~~liberty~~ permitted to continue in the present place of posting. With the aforesaid direction, the petition is disposed of. Consequently, I.A. No. 9406/2004 and M.W.P. No. 5011/2004 stand disposed of. **Sd/-** **Dhirendra Mishra** **Judge**	

Suguna

GI. PRJ—FS/350—12/2000—50,000.